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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/189,637	11/10/1998	SHIROU SUZUKI	06257.0026	5700

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EXAMINER

LAO, LUN S

ART UNIT PAPER NUMBER

2643

DATE MAILED: 01/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/189,637

Applicant(s)

SUZUKI, SHIROU

Examiner

Lun-See Lao

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## **DETAILED ACTION**

### ***Introduction***

1. Claims 1-12 of U.S. Application 09/189,637 filed on 11/10/98 are presented for examination.

### ***Information Disclosure Statement***

2. The information disclosure statement filed I.D.S. paper number 4 (02/10/1999) fails to comply with 37 CFR 1.98(a)(1), which requires a list of all patents, publications, or other information submitted for consideration by the Office. It has been placed in the application file, but the information referred to therein has not been considered.

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character AP! -AP3 have been not showed in the description: Fig.1. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1,3-8,10-12, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishida et al (US PAT. 5,253,299).

Regarding claim 1, Ishida teaches that an apparatus for reducing a noise component contained in an input signal, comprising: a detecting device for detecting a level of said noise component (see fig.5 (3c) and col.6 line 9-37); an adjusting device for adjusting a level of said input signal so as to make said level of said noise component equal to or lower than a predetermined threshold level (see fig.5 (13-1-13-n) and col.6 line8- 63); a reducing device for reducing a signal component of said adjusted input signal whose level is equal to and lower than said predetermined threshold level (see fig.3 (9-1-9-n) and col.4 lines1-37). Figure 5 fails to teach a restoring device. However, Figure 7 teaches a restoring device (14) for restoring a level of said adjusted input signal to said level of said input signal that has not been adjusted b y said adjusting device yet (see fig.7).

Therefore, it have obvious to one of ordinary skill in the art the time the invention was made, would have been motivated to combine the teaching of fig.5 (3c) system and fig.7 (3e) system to achieve to compensate for the deterioration of separation as well as to eliminate a noise component thereby enlarging the extension of a stereo sense in the system.

Regarding claim 3, Ishida teaches that an apparatus of the detecting device comprises: a sound existing part detecting device for detecting a sound existing part of said input signal; and a noise level detecting device for detecting said level of said noise component which is contained in said sound existing part (see fig.2 and col.2 lines 54-clo.3 line 5).

Regarding claim 4, Ishida reference discloses that an apparatus of the adjusting device comprises: a determining device (see fig.5) for determining whether or not said level of said noise component is higher than said predetermined threshold level (see col.4 line 1-col.5 line 15); and a level adjusting device (see fig.5 13-1-13-n) for adjusting said level of said input signal so as to make said level of said noise component equal to or lower than said predetermined threshold level (see col.4 line 1- col.5 line 15); if said determining device determines that said level of said noise component is higher than said predetermined threshold level (see col.4 line 1- col.5 line 15).

Regarding claim 5, Ishida teaches that an apparatus of the reducing device comprises: a dividing device (see fig.5 7-1-7-n) for dividing said adjusted input signal into a plurality of divisional components whose frequency bands are different from each other; a plurality of signal level detecting devices, each of which detects a level of one of said divisional components; a plurality of attenuating devices (see fig.5 13-1-13-n), each of which attenuates one of said divisional components on the basis of said detected level of said corresponding divisional component; a mixing device (see fig.5,10) for mixing all of said attenuated divisional components(see fig.5 col.3 lines 30-60).

Regarding claims 6-7, Ishida reference discloses that an apparatus of the adjusting device comprises an attenuator, and said restoring device comprises an amplifier and apparatus of the amplifier amplifies said adjusted input signal by using an inverse number of an attenuation factor of said attenuator as an amplification factor (see fig.6 (13-1-13-n)).

As to claims 8, 10-12, these are the method claims of claims 1, and 3-5, respectively. Thus note claims 1-5, respectively, for rejections.

6. Claims 2 and 9, are rejected under 35 U.S.C. 103(a) as being unpatentable over Ishida (US PAT 5,253,299) in view of Mandell (US PAT 4,940,977).

Regarding claim 2, Ishida does not teach an apparatus of the detecting device comprises: an extracting device for extracting a high frequency component of said input signal from said input signal.

Madell teaches that an apparatus of the detecting device comprises: an extracting device for extracting a high frequency component of said input signal from said input signal (see fig.3 lines 60-68); a rectifying device for rectifying said extracted high frequency component; an envelope generating device for generating an envelope signal of said extracted high frequency component; and a level analyzing device for detecting a lowest level of said envelope signal (see fig.1 (18) and col.8. lines 10-50).

Therefore, it would have obvious to one of ordinary skill in the art at the time the invention was made to modify Madell to have the audio information can be simply derived and processed as analog signal for use as well suited an adaptation control signal for the system.

As to claim 9, there is a method claim of claims 2 respectively. Thus note claim 2, respectively, for rejection.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ishigaki (US PAT 4,430,754); Mori (US PAT 4,553,257) and Nagami (US PAT 5,293,578) are recited to show other related the noise reduction apparatus and noise reduction method.

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to: (703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lao,Lun-See whose telephone number is (703) 305-2259. The examiner can normally be reached on Monday-Friday from 8:00 to 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (703) 306-0377.

Lao,Lun-See L.S.  
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US Patent and Trademark Office  
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**DUC NGUYEN**  
**PRIMARY EXAMINER**